

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CASE NO. 1:23-CV-00024-FDW**

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| JULIE DANIELSON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | <u>ORDER</u> |
| |) | |
| COMMISSIONER OF SOCIAL SECURITY, |) | |
| |) | |
| Defendant. |) | |
| |) | |

THIS MATTER is before the Court on Plaintiffs' Petition for Attorney Fees Under the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), filed on June 28, 2023. (Doc. No. 10). Plaintiff seeks an award of attorney's fees, expenses, and costs pursuant to the Equal Access to Justice Act. Defendant has consented to Plaintiff's Motion.

IT IS THEREFORE ORDERED that, having reviewed the Motion, the supporting materials, and the record, Plaintiff's Petition for Attorney Fees Under the Equal Access to Justice Act, (Doc. No. 10), is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff, Julie Danielson, is awarded attorney fees in the amount of Seven Thousand Five Hundred Dollars and 00/100 Cents (\$7,500.00). Full or partial remittance of the EAJA award will be contingent upon a determination by the Government that Plaintiff owes no qualifying, pre-existing debt(s) to the Government.

If Plaintiff has no outstanding federal debt, the Commissioner may honor any EAJA assignment that Plaintiff may provide and make the check(s) payable to Plaintiff's counsel. However, if Plaintiff has an outstanding federal debt, the Commissioner will make the check(s) payable to Plaintiff directly and deliver the check(s) to the business address of Plaintiff's counsel.

The amount of EAJA award payable to Plaintiff will be the balance of EAJA award remaining after subtracting the amount of Plaintiff's outstanding federal debt. This award will be paid directly to Plaintiff, Julie Danielson, and sent to the business address of Plaintiff's counsel. If Plaintiff's outstanding federal debt exceeds the amount of the EAJA award approved pursuant to the Order, the amount of the EAJA award will be used to offset Plaintiff's federal debt and no EAJA award shall be paid.

IT IS SO ORDERED.

Signed: June 29, 2023


Frank D. Whitney
United States District Judge